

REMARKS

In the September 16, 2005 Office Action, claims 1-5, 7-12, 14-17, 20, 22-26, 28-33 and 35-38 stand rejected in view of prior art, while claims 6, 13, 18, 19, 21, 27, 34, 39 and 40 were indicated as containing allowable subject matter. Claims 11 and 32 also were rejected for failing to indicate and claim particularly and distinctly the subject matter that Applicants regard as the invention. Claims 4 and 25 also were objected to for informalities. Applicants wish to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application.

Status of Claims and Amendments

In response to the September 16, 2005 Office Action, Applicants have amended the claims as indicated above. Thus, claims 1-40 are pending, with claims 1, 6, 19, 20, 21, 27 and 40 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Claim Rejections - 35 U.S.C. §112

In paragraph 1 of the Office Action, claims 11 and 32 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the term "below" is indicated as being indefinite. In response, Applicants have amended claims 11 and 32 to overcome this rejection. Specifically, Applicants have mended these claims to clarify that the inner portion of the first dust cap is located radially inwardly of the outer portion of the second dust cap, and removed the "arranged below" terminology. Applicants believe that the claims now fully comply with 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this rejection is respectfully requested.

Claim Objections

In paragraph 2 of the Office Action, claims 4 and 25 were objected to because the term "contacts" should be "contact" in these claims. In response, Applicants have amended claims 4 and 25 as suggested in the Office Action to overcome this objection. Accordingly, withdrawal of this objection is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

In paragraphs 4 of the Office Action, claims 1-5, 7-12, 14-17, 20, 22-26, 28-33 and 35-38 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,531,510 (Yamane). In response, Applicants have amended independent claims 1 and 20 to more clearly define the present invention over the prior art of record.

In particular, independent claims 1 and 20 now require the first and second sealing members both being disposed completely axially inward from an outermost end surface of the second dust cap that faces axially away from a longitudinal center of the fixed part.. Clearly, this structure is ***not*** disclosed or suggested by Yamane or any other prior art of record. Specifically, regardless of the interpretation of the Yamane (regardless of which one of the so-called seal members is considered a first or second seal), the member 9 is ***not disposed completely axially inward from the outermost end surface of the second dust cap,*** as now claimed.

It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicants respectfully submit that claims 1 and 20, as now amended, are not anticipated by the prior art of record. Accordingly, withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that the dependent claims 2-5, 7-12, 14-17, 22-26, 28-33 and 35-38 are also allowable over the prior art of record in that they depend from independent claim 1 or independent claim 20, and therefore, are allowable for the reasons stated above. In other words, Applicants believe that since the prior art of record does not anticipate the independent claims, neither does the prior art anticipate the dependent claims. Also, the dependent claims are further allowable because they include additional limitations. Accordingly, Applicants respectfully request withdrawal of the rejections of these dependent claims.

Allowable Subject Matter

In paragraph 6 of the Office Action, claims 6, 13, 18, 19, 21, 27, 34, 39 and 40 were indicated as containing allowable subject matter. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicants have amended claims 6, 19, 21, 27 and 40 to place them in independent form. Thus, independent claims 6, 19, 21, 27 and 40 are now believed to be in

condition for allowance. Claims 13, 18, 34 and 39 have not been amended to place them in independent form in order to minimize the number of independent claims. However, claims 18 and 39 have been amended such that the content of these claims is identical to original intent of claims 18 and 39. Specifically, claims 18 and 39 have been amended to include the body of claims 17 and 38 and to depend from claims 19 and 40, respectively. Also, claim 38 has been amended to depend from claim 20 rather than claim 30. The dependency of original claim 38 on claim 30 rather than claim 20 is believed to have been an inadvertent error in the original application.

Conclusion - Prior Art Citation

In the Office Action, additional prior art references were made of record and indicated as being considered pertinent to Applicants' disclosure. Applicants believe that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-40 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any questions regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,



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